

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
WESTERN DIVISION

AUGUSTINE OLIVO

PETITIONER

VS.

CIVIL ACTION NO. 5:07cv63DCB-MTP

CONSTANCE REESE, Warden, et al.

RESPONDENT

JUDGMENT

This matter having come on to be heard on this date upon the Report and Recommendation of the United States Magistrate Judge entered in this cause, and the Court, after a full review of the record, having adopted said Report and Recommendation as the finding of this Court by Order dated this day, finds that Augustine Olivo's petition for writ of habeas corpus should be transferred to the United States District Court for the Eastern District of California where jurisdiction lies. Alternatively, Olivo's petition should be dismissed with prejudice for this court's lack of jurisdiction, and without prejudice in all other respects.

IT IS, THEREFORE, ORDERED AND ADJUDGED that Augustine Olivo's petition for writ of habeas corpus be and the same is hereby transferred to the United States District Court for the Eastern District of California, or alternatively dismissed with prejudice for this court's lack of jurisdiction, and without prejudice in all other respects.

SO ORDERED this the 8th day of November, 2007.

s/ David Bramlette
UNITED STATES DISTRICT JUDGE